

# HOUSE BILL REPORT

## HB 2489

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### As Reported by House Committee On:

Education  
Appropriations

**Title:** An act relating to providing assistance to students who are not on track to graduate from high school on time.

**Brief Description:** Assisting students to graduate from high school on time.

**Sponsors:** Representatives Hunter, Jarrett, P. Sullivan, Springer, Morrell, Tom, Simpson, Miloscia, O'Brien, Roberts and Green.

### Brief History:

#### Committee Activity:

Education: 1/12/06, 2/1/06 [DPS];

Appropriations: 2/4/06 [DP2S(w/o sub ED)].

### Brief Summary of Second Substitute Bill

- For students not successful on the high school Washington Assessment of Student Learning (WASL), requires school districts to prepare a student learning plan before the end of the school year and arrange a student-led parent/teacher conference to discuss remediation.
- Requires that funds appropriated for WASL remediation be allocated according to the Appropriations Act and spent on students served by extended learning activities.
- Expands the notice to parents about a high school student's WASL scores to include information about remediation, retakes, alternative assessments, and how to view the test.
- Release of the high school WASL and notification to parents of the questions as well as the results is subject to specific funding being provided for this purpose in the budget.
- Beginning in 2006-07, requires the Superintendent of Public Instruction (SPI) to reimburse school districts, from funds appropriated for this purpose, for administration of diagnostic assessments in 9th and 10th grade before the high school WASL. By September 1, 2007, requires SPI to make diagnostic assessments available to districts.

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## HOUSE COMMITTEE ON EDUCATION

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 13 members: Representatives Quall, Chair; P. Sullivan, Vice Chair; Talcott, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; Curtis, Haigh, Hunter, McDermott, Priest, Santos, Shabro, Tom and Wallace.

**Staff:** Barbara McLain (786-7383).

### **Background:**

Beginning with the graduating class of 2008, most students will be required to obtain a Certificate of Academic Achievement (Certificate) in order to graduate from a public high school in the state. Students must attain the proficient level in reading, writing, and mathematics on the high school Washington Assessment of Student Learning (WASL) to earn a Certificate. Science is added in 2010.

Students in the class of 2008 will take the high school WASL in the spring of 2006. Starting in August of 2006, they will have four opportunities before 2008 to re-take all or parts of the assessment if they do not attain proficiency the first time.

In 2005, about 42 percent of high school students met or exceeded the expected standard on all three content areas of the WASL. Twenty-two percent met the standard in two of the three content areas; 14 percent in one area; and 22 percent in none. School districts must notify parents about a student's performance on state assessments.

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### **Summary of Substitute Bill:**

For each high school student not successful on the high school WASL, the school district must prepare the student learning plan before the end of the school year. The district must also arrange a student-led conference to discuss remediation and explain the risk of not graduating on time if the student does not participate. To the maximum extent possible, conferences are facilitated by a teacher or counselor who has been assigned as the student's mentor. For students in foster care, the assigned social worker from the Department of Social and Health Services is included in the conference.

Moneys appropriated for remediation of students who were not successful on the high school WASL are allocated according to the biennial Appropriations Act. School districts must spend the funds on remedial extended learning activities, which can include summer school, before and after school and Saturday programs, tutoring, or intensive courses during the school year. Programs can be offered at school, via the internet using the Digital Learning Commons or other providers, or at other locations and times. Within available funds, any student who did not pass the WASL can participate. The funding is provided based on students served. Expenditures for planning and prep time are permitted only according to the Budget Act.

School districts must administer preremediation and postremediation assessments and collect student-level data to permit analysis of effective programs. The Superintendent of Public Instruction (SPI) issues data collection guidelines to assist school districts.

If a student was not successful on the high school WASL, the notice sent by a school district to the student's parent, guardian, or social worker must include the following information:

- a description of the specific skill areas where the student needs improvement;
- the student's level of risk of not graduating on time;
- the availability and importance of remedial extended learning activities;
- information about the next WASL retest, possible alternative assessments, and other diploma completion options;
- information about how the parent or guardian can view a copy of the assessment; and
- contact information for an individual at the school who can assist and answer questions.

The SPI must provide diagnostic tools to school districts, particularly for students who are not successful on the high school WASL.

#### **Substitute Bill Compared to Original Bill:**

A requirement that students' level of risk be identified as high, moderate, and low, based on their WASL scores, is removed. Instead, the district must prepare a student learning plan before the end of the school year and arrange a student-led conference to discuss remediation. A mandate that school districts provide summer school for all students who were not successful on the WASL, and a mandate that all high risk students attend summer school under the compulsory attendance law, are removed. Instead, funds appropriated for WASL remediation are allocated to districts as provided in the Appropriations Act and must be spent on remedial learning activities for any student who was not successful. School districts must administer pre- and post-assessments and collect data. The parent notice about test results includes information about how parents can view a copy of the test, and social workers are included in notices for students in foster care.

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**Appropriation:** None.

**Fiscal Note:** Requested on February 2, 2006.

**Effective Date of Substitute Bill:** The bill contains an emergency clause and takes effect immediately.

**Testimony For:** (Original bill) It is important to understand the seriousness of the situation we are in. We have to say what we are going to do for parents and students. We must have a serious discussion about our willingness to make instructional assistance available for students who are not going to pass the test. Mandating summer school may not be appropriate for all high risk students. We want to think carefully about what we require of schools and what we require of students. The concept of funding for summer school is good, as well as clear

notification to parents and students of their risks of not graduating on time. The key is additional instruction for students.

(With concerns) Multiple measures, rather than the WASL as an exclusive measure of student performance, must be considered. Once that issue is addressed, resource issues can be dealt with. There are concerns about mandating summer school. Remediation has the potential to change the entire high school experience for a student. It is prudent to go carefully.

**Testimony Against:** (Original bill) The bill is very vague in content. It should establish the curriculum of what students should learn. The real issue is the use of the WASL as a high stakes test; it should instead be an assessment tool. We should be concerned about the conceptual framework being used by SPI in developing the WASL. This must be investigated before additional resources are spent to support it. The purpose of the bill is to boost test scores rather than truly educate students. The WASL is of no instructional value. It is too difficult for students with learning disabilities to take the test. More of what doesn't work isn't going to work.

**Persons Testifying:** (In support) Representative Hunter, prime sponsor; and Dan Steele, Washington State School Director's Association.

(With concerns) Gary King, Washington Education Association; Don Rash, Association of Washington School Principals; Mary Kenfield, Washington State Parent Teacher Association; and Leslie Goldstein, Office of the Superintendent of Public Instruction.

(Opposed) Alton McDonald, National Action Network; Nancy Vernon, Parent Advocate; Raul de la Rosa, Former Educator; Maryell DeBellis, student; Juanita Doyon, Parent Empowerment Network; and Rachel DeBellis, Mothers Against Washington Assessment of Student Learning and Parent Empowerment Network.

**Persons Signed In To Testify But Not Testifying:** None.

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## HOUSE COMMITTEE ON APPROPRIATIONS

**Majority Report:** The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Education. Signed by 29 members: Representatives Sommers, Chair; Fromhold, Vice Chair; Alexander, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; McDonald, Assistant Ranking Minority Member; Armstrong, Bailey, Buri, Chandler, Cody, Conway, Darneille, Dunshee, Grant, Haigh, Hinkle, Hunter, Kagi, Kenney, Kessler, Linville, McDermott, Miloscia, Pearson, Priest, Schual-Berke, P. Sullivan, Talcott and Walsh.

**Minority Report:** Do not pass. Signed by 1 member: Representative Clements.

**Staff:** Ben Rarick (786-7349).

**Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On Education:**

The bill that passed out of the Education Committee detailed a plan of remediation for high school students who do not succeed on their initial attempt to pass the WASL. The bill as passed out of Appropriations now requires the Office of the Superintendent of Public Instruction (OSPI) to release all Washington Assessment of Student Learning (WASL) items and answers, subject to funding in the budget specifically for this purpose. The OSPI must also provide reimbursement to districts for the cost of administering diagnostic assessments to 9th and 10th graders, from funds appropriated for this purpose.

**Appropriation:** None.

**Fiscal Note:** Requested on February 2, 2006.

**Effective Date of Second Substitute Bill:** The bill contains an emergency clause and takes effect immediately.

**Testimony For:** The WASL remediation proposal is an investment in additional teaching and learning for students who will be most at risk. Washington is ranked 46th in class size and 42nd in per-student spending. Consider the amendments sponsored by Representative Talcott as well to enhance the investment in teaching and learning.

**Testimony Against:** None.

**Persons Testifying:** Representative Kilmer, prime sponsor; and Lew McMurrin, Washington Software Alliance.

**Persons Signed In To Testify But Not Testifying:** None.